

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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UNITED STATES OF AMERICA

v.

STEPHEN SCHUKO

Criminal No.

U.S. DISTRICT COURT
DISTRICT OF MASS.

**STEPHEN SCHUKO'S OPPOSITION TO
MOTION FOR PRETRIAL DETENTION**

The Defendant, Stephen Schuko, stands charged of possession of marijuana with intent to distribute and conspiracy. He was arrested and taken into federal custody on Thursday, November 18, 2004. At that time, Mr. Schuko was at the Stoughton District Court, as scheduled and with counsel, in connection with state charges for the same allegations giving rise to the federal indictment. While in court, and prepared to proceed with the probable cause hearing, the Commonwealth announced that the Federal Government had refused to have the agents appear as witnesses and therefore the case was dismissed. Agents in the courtroom thereupon arrested all the defendants on the instant Federal charges. Mr. Schuko has been held in detention since the day of his arrest. On that day, the prosecution announced that it would seek to detain Mr. Schuko pending trial. For the reasons that follow, Mr. Schuko respectfully requests that this Court deny the prosecution's motion for pretrial detention.

I. STANDARD FOR PRETRIAL DETENTION

"In our society, liberty is the norm, and detention prior to trial or without trial is the carefully limited exception." United States v. Salerno, 481 U.S. 739, 747 (1987).

Judge Wolf recently summarized this Court's inquiry as follows:

With regard to the risk of flight as a basis for detention, the government must prove by a preponderance of the evidence that no combination of conditions will reasonably assure each defendant's appearance at future court proceedings.

With regard to danger, however, there is a heightened standard of proof because of "the importance of the interests of the defendant which are implicated in a pretrial detention hearing." S.Rep. No. 225, 98th Cong., 2d Sess. 22, reprinted in 1984 U.S.Code Cong. & Admin. News 3182, 3205. Thus, clear and convincing evidence is required to establish the facts relied upon to support a finding that no combination of conditions will reasonably assure the safety of any other person or the community.

Undoubtedly, the safety of the community can be reasonably assured without being absolutely guaranteed... [C]ourts cannot demand more than an 'objectively reasonable assurance of community safety.' Similarly, only reasonable assurances, rather than a guarantee, are required with regard to the risk of flight.

As the First Circuit has recognized:

In determining whether suitable conditions exist[], a judicial officer [is] required to take into account the following: (1) the nature and circumstances of the offense charged; (2) the weight of the evidence as to guilt or innocence; (3) the history and characteristics of the accused, including past conduct; and (4) the nature and gravity of the danger posed by the person's release. *See 18 U.S.C. § 3142(g)*.

United States v. Salemmme, 317 F.Supp.2d 28, 42-43 (D.Mass. 2004)(citations and internal quotation marks omitted); see also United States v. Tortora, 922 F.2d 880, 884 (1st Cir. 1990)("Undoubtedly, the safety of the community can be reasonably assured without being absolutely guaranteed.... Requiring that release conditions *guarantee* the

community's safety would fly in the teeth of Congress's clear intent that only a limited number of defendant's be subject to pretrial detention.") (emphasis added).

II. ARGUMENT

To determine whether the prosecution has met its burdens, this Court must consider a number of factors: (1) Mr. Schuko's personal history and characteristics; (2) the nature and circumstances of the charged offenses; (3) the strength of prosecution's case; and (4) the nature and degree of danger to the community. See 18 U.S.C. § 3142(g). In light of these factors and others (discussed below), this Court should deny the prosecution's motion for pretrial detention.

A. Mr. Schuko's Personal History and Characteristics Weigh in Favor of Release.

Regarding Mr. Schuko's personal history and characteristics, this Court should consider:

- (A) [his] character, physical and mental condition, family ties, employment, financial resources, length of residence in the community, community ties, past conduct, history relating to drug or alcohol abuse, criminal history, and record concerning appearance at court proceedings; and
- (B) whether, at the time of the current offense or arrest, [Mr. Schuko] was on probation, on parole, or on other release pending trial, sentencing, appeal, or completion of sentence for an offense under Federal, State, or local law....

18 U.S.C. § 3142(g)(3).

As set forth below, Mr. Schuko's personal characteristics weigh mightily in favor of release.

1. Mr. Schuko Is A Family Man Of Great Character.

Mr. Schuko's devotion to his family cannot be questioned. Mr. Schuko – 42 years old – has been married to his wife Stacy for 19 years. Together, they have four children: Brent, age 15; Chelsea, age 14; Nicolette, age 12; and Devon, age 6.

Mr. Schuko is actively involved in each of his children's lives. Each child is involved in sports: both girls play club soccer, Brent is on his high school soccer team, and Devon is on a youth soccer team, as well as a youth hockey team. The children also take piano lessons and participate in after-school activities.

On a typical work-day, Mr. Schuko arrives home at 3:00 p.m., so that he and Stacy can share equally in their children's care, and ensure that each is able to participate in sports and after-school activities. Transporting the children to and from their after-school activities is quite time-consuming, and, as a testament to his character and devotion to his family, Mr. Schuko shares equally in that responsibility with Stacy. As Stacy puts it, her husband is "100% involved."

For example, while on a given school day, Stacy may drive their daughters to their club soccer practices/games, Mr. Schuko drives his sons to and from their sports and after-school activities. Weekends for the Schuko family are similarly filled with such activities, and Mr. Schuko participates fully. Moreover, Mr. Schuko attends nearly every single one of his children's parent-teacher conferences and related responsibilities.

Simply put, without Mr. Schuko's active participation in his children's care, Stacy would be unable to carry that burden alone, and the children's lives would be directly – and adversely – impacted. Given Mr. Schuko's commitments to his family in the Boston area, this Court can reach only one conclusion: Mr. Schuko's family ties weigh very heavily in favor of release. Compare, United States v. Pierce, 107 F.Supp.2d 126, 133

(D.Mass. 2000)(finding defendant posed a serious risk of flight where his primary family ties were in Florida, he resided in Florida for several years prior to his arrest, he used a Florida driver's license for identification).

2. Mr. Schuko Has Long And Strong Ties To Massachusetts.

Mr. Schuko's ties to the community are similarly beyond dispute. He and Stacy own a home in Norton, Massachusetts, where they have resided since 1987.

Mr. Schuko has lived in Massachusetts his entire life, as has his wife. They both grew up in Stoughton. Mr. Schuko has close ties to his four brothers, parents, and cousins, all of whom live in nearby towns. He is also very close to Stacy's extended family – which includes her sisters, mother, aunts, uncles and cousins. Stacy's family members also live close by.

3. Mr. Schuko Is Gainfully Employed

For more than ten years, Mr. Schuko has operated Marlin Development, LLC. Marlin Development is a general contracting firm, and its main business is building and renovating residential properties. His business is all in Massachusetts.

Mr. Schuko is dedicated to his business, and works hard. On a typical work-day, he leaves home at approximately 6:00 a.m., and most days, returns by 3:00 p.m. (because, as explained above, he makes a point to spend as much time as possible with his four children).

Not only does Mr. Schuko's family depend upon the income he derives from his business (at the present time, Stacy is not working¹ so that she can care for her children), but so do many subcontractors that Mr. Schuko hires to complete his building projects.

B. Mr. Schuko's Past Conduct – Including His Criminal History -- Reflects No Risk of Violence or Danger to the Community.

As to his criminal history, Mr. Schuko has one prior federal conviction, for which he received a sentence of three years probation (that sentence was imposed on April 11, 1997). He also has minor state court convictions.

C. The Nature and Circumstances of the Charged Offense Do Not Weigh In Favor of Detention.

The circumstances surrounding the pending charges do not weigh in favor of detention. First, Mr. Schuko is not charged with any crime of violence. Second, when he was arrested on the corresponding state charges, the court released him on \$5,000.00 cash bail. He has made every single court appearance required of him, and has no record of defaults.

D. The Strength of the Prosecution's Case Does Not Weigh in Favor of Detention.

As will be addressed at the detention hearing, the strength of the prosecution's case does not weigh in favor of detention.

E. Lesser Conditions Will Suffice to Alleviate Any Risk of Danger or Flight.

¹ Although Stacy worked in the past as a registered nurse, she left her employment because she felt it imperative to be at home with the children. Her certification has lapsed. Thus, before she could begin working again, she would have to take several courses, as well as the certification exam.

To ensure that pretrial detention is reserved for the rare case, § 3142(c) mandates that Mr. Schuko be “subject to the least restrictive” condition(s) that “will reasonably assure the safety of any other person and the community.” This Court must find the least restrictive measures by progressing step-by- step through the conditions set forth in 18 U.S.C. § 3142. See United States v. Maull, 773 F.2d 1479 (8th Cir. 1985).

As the relevant factors highlighted above – and those to be explained at the hearing – show, Mr. Schuko can be safely released without resort to detention, or the most restrictive of conditions. Even if this Court finds that there is some degree of danger to the community or risk of flight --- this Court should release Mr. Schuko, *albeit* subject to the conditions this Court deems appropriate.²

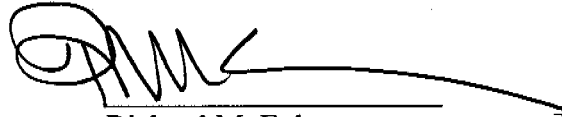
² In cases with far more egregious facts, and far weightier evidence, courts have ordered defendants released under specified conditions. For example, in United States v. DiGiacomo, 746 F.Supp. 1176 (D.Mass. 1990), the Court found a combination of conditions short of pretrial detention appropriate where government offered evidence that defendants were “made” members of the Mafia, specifically, a Capo and a Soldier. The defendants faced a myriad of serious charges, from RICO to conspiracy to distribute narcotics to extortion to subornation of perjury and obstruction of justice. See *id.* at 1179 n.1. Nevertheless, the Court ordered the defendants released pursuant to several strict conditions. It follows then that, as in DiGiacomo, this Court can adequately ensure the safety of the community, without resorting to the egregious measure of pretrial detention.

IV. CONCLUSION

Under the Bail Reform Act, 18 U.S.C. § 3142, this Court may, *inter alia*, (1) release Mr. Schuko on his own recognizance or upon execution of an unsecured bond; (2) release Mr. Schuko while imposing a condition or a combination of conditions of release; or (3) detain Mr. Schuko pending trial.

Based upon the facts of this case, and for the reasons explained in more detail abivem only the former two options are appropriate. As such, Defendant Stephen Schuko respectfully asks that this Court deny the prosecution's motion for pretrial detention.

Respectfully submitted,
STEPHEN SCHUKO,
By his attorneys,



Richard M. Egbert
BBO # 151800
Patricia A. DeJuneas
BBO # 652997
99 Summer Street, Suite 1800
Boston, MA 02110
(617) 737-8222

CERTIFICATE OF SERVICE

I, Richard M. Egbert, hereby certify that on 11/22/04, I caused a copy of the forgoing to be served in hand upon counsel for the United States.



Richard M. Egbert

November 21, 2004

To whom It may concern:

I cannot begin to Impress upon you the major impact Stephen's absence would have on our family. He is a loyal and devoted husband, but his great qualities don't stop there. He is a truly committed father. He is a great friend and a Good Samaritan. Steve's absence will affect many people, but most importantly our four children.

Steve Immediately became a member of my family. They welcomed him with open arms, and they loved him, like one of their own. He was extremely close with my deceased grandparents. He was like a big brother to both of my sisters. He is closer to my younger sister than I am. My other sister asked Steve to walk her down the aisle on her wedding day.

I have been married to Steve for 19 years, and we've been together for 24 years. There are so many great qualities about Steve, but I'll concentrate on the important ones. Our 19 years of marriage demonstrates the loyalty and commitment of his character. Marriage isn't always easy and it takes hard work, patience, and compromise. He is always willing to do whatever it takes to work through any hard times we've endured. Everything in our house is 50/50. He cooks, cleans, and participates in the daily activities of our children. He has supported everything I've been involved in, and that is a lot. During the past 10 years I have; volunteered in our children's schools, attended the parent board meetings, been co-chairs on parent boards, been on the site council, I have coached their soccer teams, and been on the Norton Youth soccer board. I would not have been able to, and will not be able to get involved in any of these voluntary positions, without his complete support. We work as a team to demonstrate our high values of school and education for our children to see. My involvement will definitely be effected if Steve is not available. I am a registered nurse and was planning on re-entering the work force after being an at-home mom for 15 years. This will be difficult to do without Steve's support.

What Steve offers to our four children is limitless. He is affectionate, funny, loyal, committed, generous, and devoted. Steve and I have a great balance with our parenting philosophies. I am the stricter parent, and he is the easy-going, laid back one. He is the funny one and I am more serious. He is always joking around and being silly with them, even though, it's only my six-year-old son, Deven, which is laughing. It's not easy with teen-agers! Life would be very boring without Steve. He has a wonderful relationship with our 15-½ year old son, Brent. They are total opposites. They laugh and joke, wrestle and play basketball, and taunt each other the whole time, only as a father and son would. He has a special relationship with both our daughters. Steve and my oldest daughter, Chelsie (14 years old), are similar in personality, so they challenge one another, more than the others. The past few days with his absence, she has been

1

the one to ask to call and speak with him. My third child, Nicolette (12 ½ years old), she's a tough one! Her and I are total opposites but Steve and her being the "younger siblings" have a special bond. My six-year-old son, Deven, will be lost without him! They are so alike it's scary! They are constantly joking, wrestling, reading, or just hanging out. He has very different relationships with all of his children. His love and loyalty for them is never questioned and they know he would do anything for them.

He always has a special quote for them; "always be yourself", "always do your best", "the stupidest question is the one that's never asked", "you only fail when you stop trying". Then there are the more personal one's that always results in the rolling of eyes! They are, "boys only want one thing", "don't ever let a boy hit you", "you can always come home no matter how old you are", "you can die or become brain dead from drugs", "Let me tell you the story about a friend of mine who ..." He is definitely the lecturer and I am the listener, which gives our children the opportunity be exposed to some of the realities of life, while giving them the opportunity to discuss any issues of concern.

Steve is a huge factor in our children being able to participate in everything they want to. Steve and I attend all the parent conferences and school/ family activities. All of our children are involved in numerous sports. He praises all of our children constantly regarding their excellent report cards. He supports them, and attends all of their sporting events, whether they are strong or weak players. This year, our youngest is in first grade so we have one more to shuttle around. Some how, we have managed. All four of our children play soccer during the fall season. My oldest, Brent, was the captain of the JV High School soccer team. One of us attends most of his home and away games. Our two daughters, Chelsie and Nicolette, are on club soccer teams, which involves traveling to all parts of the state on Sundays and four practices during the week. Our youngest, Deven, played soccer and just started hockey. They are also involved in school clubs, such as; diversity club, amnesty club, student council-vice president, art club, community service and story hour. This is a briefing of our fall season. Soon the winter season will start with indoor soccer, track, hockey, and three of them playing basketball. I'm a little scared but we always seem to manage!

Steve will always be there to help someone in need. I'll brief you on a few times that he was a Good Samaritan. One New Years Eve we were all heading down to Chatham in a snowstorm and there was a car accident. He didn't hesitate to pull over and offer his support and my daughter's sleeping bag to a wounded old lady. I don't think my daughter, six at the time, ever used that bloody sleeping bag again! One time Steve was coming home from work and was 2 exits from our house when he saw two elderly people broken down with a huge trailer. He had a heavy-duty pick-up truck. These two people were transporting a sick horse that just had surgery and had to get home immediately. Well, "home" was in Tiverton RI, which was 1 ½ hours from where he was. This didn't stop Steve. This couple was so appreciative that they sent us a thank you note with an

offering of the use of their farm for a birthday party. A friend of mine is recently going through a divorce. Guess who she calls to carry out the lawn furniture, bring in the Christmas tree, teach her how to use the lawn mower? His long estranged nephew contacted him 6 months ago. Steve never met him because of his brother divorced when Steve was very young. This man was reaching out for his family that he never met, and Steve was there for him. Steve met with him immediately and still keeps in regular contact with him. Steve never hesitates to help any person in need whether it is family, friend, or stranger.

I know you may question the credibility of a letter from a wife but everything I have mentioned in this letter is true. I am not creative enough to make up such stories. I know Steve would never do anything to harm our children emotionally. He will be there and available to them until this court case goes to trial. If the worst of circumstances may occur in the future, I know he would want to spend every moment with our children. Please give him this opportunity.

Thank you for your time.

Sincerely,



Stacie Lebow-Schuko

Thank you note I saved

7-20-99

Dear Steve,

We want to thank you again for stopping to help us and our horse on July 11th. Not many people would have stopped ... and fewer still would have pulled Fidget all the way to Tiverton, R.I.!! You were our angel that day.

Richard and I really would like to do something for your family. Roseland Acres offers trail rides, pony rides for children, and we could even do a cookout lunch or dinner at the farm for you. We would set it all up for whatever day you choose and give you a tour of the property to introduce you to all the animals. I'm going to write down our phone number here in Dartmouth and the barn's address & phone number. The contact person at Roseland Acres is Nancy (the owner) - 594 East Rd. Tiverton, RI 02878 (401) 624-8866. Our phone is (508) 997-1173.

You mentioned that your daughter's birthday is in Sept. Maybe you'd like to come then - or one day this summer.

Please let us repay you for your kindness.

Sincerely, Lauren & Richard Upchurch

November 21, 2004

To Whom It May Concern:

Stephen W. Schuko

I have known Stephen W. Schuko for 25 years as a personal friend. I can confirm that he is a man of integrity, is extremely dedicated to his family and work, and responsible.

In addition I have handled all insurance needs for Stephen Schuko and his family including home, car, and business insurance. He has always been a good, responsible customer.

I have had many conversations with Stephen regarding his children. He is very active in their lives and enjoys being a father very much.

I have been in the insurance business for 18 years. I have owned and operated my own agency for 14 years in the community I grew up in where I am well known and well respected. I also am the father of an 8 year old daughter and presently an assistant high school hockey coach.

Sincerely,


John P. Russell

Danielle Kelly
556 Bay Road
South Easton, MA 02375
November 21, 2004

RE: Steven Schuko
1 Janet Street
Norton, MA 02766

To whom it may concern:

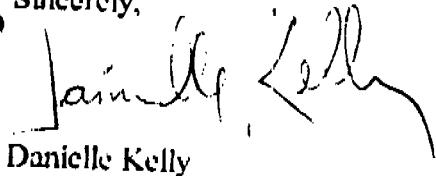
I would like to offer this letter as a testament to Steven Schuko's good character.

I met Steven through my husband who has known him for over 30 years. I myself have known him for over 10 years and regard him as a model husband and father.

I have witnessed him at the school our sons attended together and was impressed with his outward affection and dedication to his son and his other 3 children. I have become friends with his wife Stacie and am certain of their loving relationship.

Steven is dedicated and dependable member of our community and a valuable part of our circle of friends.

Sincerely,


Danielle Kelly

To Whom It May Concern:

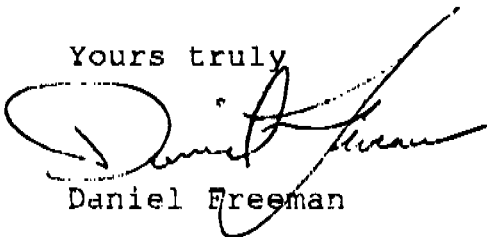
I have known Steve Schuko for the last 30-35 years, or most of my life. He has been a close friend in childhood and in my adult life.

Prior to my separation from my wife and family, our families spent a lot of time together. He is an extremely responsible father as well as a loving husband. Our children have become friends over the years and my children still spend a lot of time with his family.

After my separation he was always there for me. It was a time of extreme chaos for me and I wouldn't have been able to get through it if he hadn't been there for me. He is truly a sensitive individual who cares for other's needs before his own.

Should you require additional information please do not hesitate to contact me.

Yours truly

A handwritten signature in black ink, appearing to read "Daniel Freeman", written over a horizontal line.

Daniel Freeman

Sean Kelly
556 Bay Road
South Easton, MA 02375
November 21, 2004

Re: Steven Schuko
1 Janet Street
Norton, MA 02766

To whom it may concern:

Please accept this letter as a reference to Steven Schuko's good character.

I have known Steven for over thirty years and during this time have been witness to his high degree of integrity, responsibility, and strong moral character.

During this time I have seen Steven grow from a 7th grader at Stoughton Junior High School into a committed family man and an active participant in the Easton/Norton community.

Steven has proven to be a dependable husband, father, and friend.

Sincerely,



Sean Kelly
Chief Operating officer
Direx systems Corp.

- To Whom It May Concern,

I have known Steve Schuko for twenty years. I truly respect Steve for being such a loving and caring person, the kind of man that would give the shirt off his back to help anyone in need. Steve is a great husband and father, the kind of dad that would drop everything to help his children with their homework or bring them to soccer practice. I cannot say enough about this trusted friend. He always has a smile and a kind word for all that know him.

Sincerely
Diana Schuko

To whom it may concern.
I have been lucky to
have a brother like Steven.
He has always been there
for me. We have done a lot
together, and I have learned
a lot from him. He is very thoughtful
and sincere. He is an excellent
DAD, and is wonderful to his
KIDS.

Sincerely
Dan SCHUKO

November 20, 2004

To Whom It May Concern:

Our Names are Karen and Frank Guido residents of Norton Mass for 15 + years .We have 2 boys Frank and Nicholas

We have been friends with Steve and Stacey and their family for approximately 8+ years; our children are best friends, go to school and play various sports together .We vacation together every year enjoying each others company.

Steve has demonstrated to us his faithfulness and caring character as both a Father and Friend. We consider Steve to be one of those friends that you may only meet once in a lifetime, ALWAYS available to help or talk or just have fun with especially when we engage in family events (Birthday Parties and the Holidays), Steve's strong family morals that emanate from him are demonstrated through his children. Steve is also very active and supportive of the local sports and school activity in Norton always contributing his time when needed.

We can't say enough about Steve and his Family; Steve friendship has made a deep and positive impression on our families life here in Norton that we hope continues for years to come.

Sincerely

Frank and Karen Guido

A handwritten signature in cursive script, appearing to read "Frank & Karen Guido", written in dark ink.

November 21, 2004

To Whom It May Concern:

I have had the opportunity to work with Steven Schuko on a few different occasions doing design build projects with him. Although I don't know him well, in the time we spent together he has been nothing other than a complete gentleman. From our different conversations he seems to be quite family orientated, devoted to his wife and children and very involved in his children's various activities.

The last time I met with Steven to go and look at a job, he was late picking me up, as we had snow and he was helping his elderly neighbor shovel out. This is Steven as I know him, helpful, kind and very family orientated.

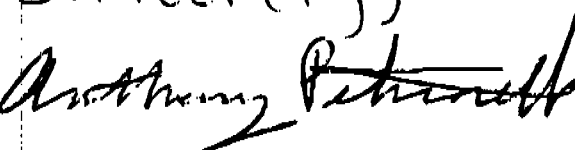
Sincerely,

Kathy Mason
Designer

November 21, 2004

To Whom It May Concern:

As his boxing trainer, I have worked with Steven Chuko over twenty years. Over this time, he has displayed many virtues including determination and hardwork not only in boxing, but also in his family. He is an upstanding husband and father, He has been married for twenty years and has four children. Him and his wife own a home in Norton where they have resided for 15 years. He is always there to help out a friend. Steven is a kind, caring and upstanding individual

Sincerely,


TO WHOM IT MAY CONCERN

MY NAME IS JOSEPH CORREA. IVE KNOWN
STEVEN SHCULKO FOR 25 YEARS AND KNOW
HIM TO BE A GREAT PERSON AND A VERY
LOVING FATHER AND DEVOTED HUSBAND.
HE'S ALWAYS TALKING ABOUT HIS CHILDREN
WHENEVER I SEE HIM.

Thank You
Joseph Correa

11/21/04

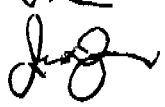
To The Court

My NAME IS John Doyle Jr.

I've known Stephen Schuko Since Junior High School. Steven has always been kind and considerate to me and all my friends +

Family. I own an Auto Repair Business in Stoughton Mass and have done this work since he's had a motor vehicle. He's always been a family man and would do anything for anybody. Any Considerations on his behalf would be greatly appreciated.

Sincerely

John T. Doyle Jr.
150 Fifth St. 

Stoughton Mass. 02072

11/20/04

To whom it may concern,

I Joseph Miller 38 COLBY DR.
MIDDLEBURY VT 05750, HAVE KNOWN
MR. STEVEN SCHUCKO FOR MORE THAN
20 YEARS AND HAVE ALWAYS KNOWN HIM
TO BE A MAN OF UNREPROACHABLE INTEGRITY,
AND MORAL FIBER.

Sincerely yours
Joseph Miller
Joseph L Miller

To the Court.

It has been my Experience throughout the past many years of being Stephen Schubert's older brother. He possesses a deep affection for his family - his wife Stacie and all his Children.

I have personally observed his devotion to them time and time again. I cannot fathom Stephen engaging in actions that could in any way jeopardize his life with them.

He has the deepest desire to always be with them and they also feel strongly his presence as a husband and father.

Stephen has a strong sense of family and community values - Stephen has always been there for anyone, his family and his friends to give help or support when they are needed.

Sincerely,

Jimmy J. Schubert

4 Bay Rd
N Easton MA

02356

TO WHOM IT MAY CONCERN

My name is John Sharpe I've known Steven Shuko for many years, through his Brothers. Steven has been helpful and supportive to me especially during my recent health problems and the death of my Brother Robert. ANY CONSIDERATIONS ON HIS BEHALF WOULD BE APPRECIATED. IT IS IMPORTANT TO KNOW I AM DISABLED, AND A VETERAN AND TO LOSE THIS SUPPORT WOULD BE DEVASTATING.

Thank you
John E Sharpe
1276 Washington St
NO. EASTON, MA
02356

To Whom it may concern

My name is Matthew Pedgust.

I am an auto body repair man
in Stoughton mass.

I have known Stephen Schuko
all of my life,

He has always been a good friend
& supportive of his family

I cannot imagine Stephen do
Anything to Jeopardize the
wellfare of his family

Thank you

Matthew Pedgust

150 Fifth St. Stoughton mass.

781-389-6425

11/20/04

To whom It may Concern

My name is Mark Podgurski I am a welder and construction worker. I have know Stephen Schuko my entire life and also his family we have hunted fished and worked together several times and can only speak of his honesty and integrity. I have first hand witnessed him helping elderly and poor people and his local community if there is anyway I can help in securing his good name.

I can be reached at
1781 344 6721 or 1781 690 1149
Thank You very much for your
time

Sincerely

Mark Podgurski

11/20/04

To the Court

My name is John Podgurski.

I am a self Employed welder,

I have known Stephen Schuko from first grade, I have gone Fishing and camping with him over the years, I believe him to be a good Father and family man, and is often engaged in activities with his children, any consideration in this matter would be appreciated.

Thank you.

I can be reached
at 781-344-6247

John Podgurski

Nov 20, 2004

to whom it may concern:

I have known Steven Schuko all my life. He is a very considerate person. He is a devoted husband and wonderful father. His family mean alot to him.

Steven is a good person who would do anything for you. He has always been there, a good friend!
Thank you

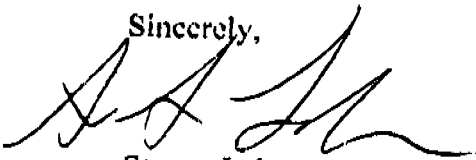
William Allen
500 Canton St.
Houghton, MA 02072
781 344-3391

November 21, 2004

To Whom it May Concern:

I am writing this letter on behalf of Steve Schuko. Steve is married to my niece and I have known him for over 25 years. The most compelling quality of Steve is his love and devotion to his family. He has always been a father who is involved in all aspects of his children's lives. He is completely devoted to his wife as well as our entire family. We have spent countless holidays and birthday celebrations at their home. It was always a home filled with much love and laughter. Steve has had a major role in the upbringing of their 4 children. I feel very strongly that any separation from his children will have a devastating affect on their entire family. Steve has always been available for anyone who needs him.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Lebow', written over a horizontal line.

Steven Lebow

November 21, 2004

To Whom It May Concern:

I would like to take this opportunity to share my opinion of Steve Schuko. I have known Steve for approximately 25 years now, he is my brother in-law, but seems more like a brother to me. From the day that he started dating my sister, he was the one person that I could always depend on. I knew that I could speak to him about anything and he would not judge me. He would just listen and give advice and support me in anything that I chose to do.

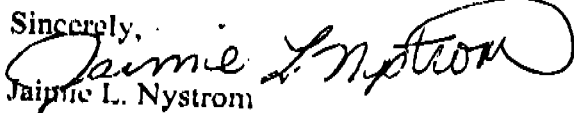
I have never met anyone that has more friends than Steve. It doesn't matter whether Steve has known you for your entire life or for just a week, because he will remain a loyal friend to you forever. He never holds grudges and always gives everyone the benefit of the doubt without ever judging them for what they have done. Some of these great traits have led him to his biggest fault, which is associating with the wrong people, which we all know that even when you are completely innocent you can still be considered guilty by association. As well as I know Steve, I know that he would never say anything to get someone else into trouble even if it would get him out of trouble. This clearly shows how he is always there for everyone and will do anything to help you. Steve is one of the most dependable, honest, and loyal people I know.

Steve is the father of four ranging from 6 to 15 ½ years old. It is great to see how much he loves his children. When we all get together, Steve is always there either talking or playing sports or playing games with his children. He is always involved with their everyday lives from helping with their homework, going to their soccer and baseball games or just having their family dinner together as they always do.

His children always come first in his life and he would do anything for them. I can see the look in his eyes of how proud he is of each of them. If you take a look at each of his children and see how athletic each of them are; how great they are doing in school; and their strong morals you would then see what a great job Steve has done as a father to help contribute to their successes.

This past year, I had the opportunity to go to Disney World with my family and theirs. It was truly amazing when I saw how his teenage girls walked through the Disney Parks holding Steve's hands and that was the girls' choice. It isn't often seeing a teenager even wanting to hang out with their parents let alone hold their hands in front of thousands of people. This shows what a loving and caring family they all are to each other.

I would like to emphasize once again how important Steve is in all of our lives, especially his children and his wife. Each of his children are at such an impressionable age that being without both of their parents could have a detrimental impact on their state of mind. Please take all of this into consideration when making any decision that could affect him and his family.

Sincerely,

 Jamie L. Nystrom

November 21, 2004

To whom it may concern,

I have known Steven Schuko for over 16 years and in all those years I have to say I have found him to be a very considerate and fair individual. Steven is an easy person to speak with and is very approachable. His willingness to share thoughts and ideas has helped all that know him.

Steven is a dedicated parent to 4 children who have grown to be exceptional individuals and have shown leadership and excellence in school, sports and social activities. There is no doubt that the success of these children has a lot to do with Steven's love and guidance.

Steven seems to have a natural ability for business and venture. I believe given the right opportunity he could succeed in the business world and give back to the surrounding community.

I would like to take this opportunity to let you know that Steven is a well liked and important part of our family and would do anything for those who ask of him. I hope you take this and the above into consideration when guiding your decision.

Regards,


Chris Nystrom

November 21, 2004

To Whom It May Concern,

I'm writing this letter on behalf on my nephew Steve Schuko to let you know what a wonderful person and outstanding father he is.

I first met Steve when he and my neice were in high school. They started dating about 25 years ago and have been together ever since. I think that in itself will tell you what a loyal and caring human being he is. Little did we know that in time they would be married and eventually the proud parents of 4 wonderful children.

Steve and Stacie are very involved in every phase of their childrens upbringing. I f you met this family you would see what a great job they have done. They are very involved from school to sports and everything in between.

His purpose in life is to be the very best he can be to his children and to help them to succeed.

Holidays would not be as wonderful if it weren't for him welcoming everyone in the family into his home. We all have our own families now but Christmas Eve everyone gets together for a great time and lasting memories.

It's been a pleasure to see how both Steve and Stacie have grown over the years and to be a part of their family.

Sincerely,


Harriet Balerna

Edward Gill
138 Plain Dr.
Stoughton, MA
02072

To whom it may concern,

I have known Stephen almost my whole life. We grew up as kids together. We hunted, fished and played sports. Stephen is one of my closest friends thick and through. Though now we are both married with families of our own we still have managed to stay close. Steve is a good husband and great father to his children who supports and encourages them in whatever endeavor they pursue. I am very fortunate to call Steve a friend. By writing this I hope to express how positive of an influence Steve has been to his family as well as friends.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward R. Gill". The signature is fluid and cursive, with the first name "Edward" and last name "Gill" being the most legible parts.

Edward Gill

November 21, 2004

To Whom It May Concern:

I have known Steven Schuko for about twenty five years when he began dating my daughter, Stacie. Writing this letter is very difficult trying to briefly put into words my thoughts and feelings, because I have so many. Of course I would do it, and I hope that I will be able to express how special Steve is to me - what a loving, caring, funny, loyal person he is.

My first image of Steve that came to mind was him at the games watching his children (my grandchildren) playing soccer, hockey, baseball or basketball and getting so involved in the game --- often to the embarrassment of the kids. Never angry, just excited - "good job Brent" - "faster Chelsie", etc. He knows everyone on the team and is always very supportive to all of them.

Next, I think of all of us - Steve, Stacie, Brent, Chelsie, Nicolette, Deven and myself sitting around the kitchen table at dinner laughing, joking and Steve lecturing...always lecturing - "Always try your hardest"... "Give it 100%"... "You can do anything you make up your mind to do"... "You've got to feel it with your heart" and on and on and on. The kids would say "oh dad". Steve was constantly worrying about his children and always wanting the best for them. He never wanted them to struggle and just get by, he wanted them to have all of the confidence that they could succeed at anything that they wanted to do. To look at his children, he has succeeded. They are in honor's classes, active in sports, on student council, honor roll, student of the month, etc.

Steve grew up in a dysfunctional family, the youngest of five boys. There was a lot of yelling and violence. His father was in battle in World War II. I often thought that he was trying so hard to give his kids everything he never had. And in many ways, he has -unconditional love, support....

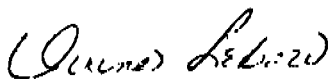
When the family would come to my house, I could always count on him cleaning up, running to the store if I needed something, a bag of ice, a can of cranberry sauce - whatever. When the house became chaotic, which was often with fourteen people in a very small house, we could depend on Steve to make a joke and try to lighten things up as he often did.

Steve was very close with both of my parents before they died. My mother died three years ago. She had a cold and wasn't feeling well, but it did not seem like anymore than that. Steve stopped by on his own to bring her some chicken soup and to see how she was feeling. I was at work and she told me that he came over, she was so happy. I am forever grateful that he was there for her in her final hours.

In all of the years that I have known Steve, I have never doubted that he would be there for me if I needed anything. There are not many people I can say that about.

Steve is so important to all of us and it breaks my heart at the thought of his children possibly being without their dad and the impact it will have on them. I worry for them, for Stacie, and for Steve.

Sincerely,



Diane Lebow

To Whom It May Concern

I'm writing about my friend Steve Schuko who I've known for twenty five years. He's a loyal father dedicated to his family. Steve is also a hard worker. He has lived in Norton for about 18 years and has been married to Stacey for twenty years. They have four wonderful children who are all involved in sports. Soccer, baseball and hockey. He's always been involved in his children's activities.

As a friend of Steve's who has seen him with his wife and children I can honestly say he is a good man, great friend and a loyal citizen.

Joseph M. Camp

Dear Judge

I am writing to you today in regards to my brother in law Steven Schuko. I realize he is a total stranger to you and just another case to be tried but I beseech you on behalf of his family to take into consideration the very large impact his absence will have on his family.

I have known Steven for the better part of my life. We grew up together in grade school thru high school and even though I was not very close to him as a child, I knew of him and watched him grow to a wonderful and compassionate family man.

Steven has supported every one of his family members when they are in need and has kept a positive outlook in life thru all crisis and personnel tragedy. He is godfather to my youngest daughter and the center force to his family.

My brother in law is very devoted to his family and has so much day to day contact that I worry for the emotional and mental health of his children if he were to be removed from their lives. He is not like your typical fathers he is always at the children's games or social events in and out of the school system. He has genuine admiration for the adults they are becoming. His wife Stacie would not be able to keep up the level of involvement she has with the children without her husband's presence.

I feel there must have been some mistake and Steven happened to be at the wrong place at the wrong time, for it would be totally out of character for him to have jeopardized everything he has invested in his family.

Sincerely,

Garret A. Schuko

Nov. 19, 2004

Your Honor,

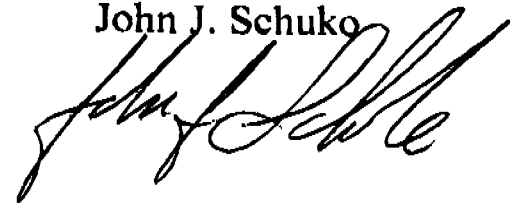
I am writing to you today on behalf of my brother Stephen W. Schuko, in regards to his arraignment and bail hearing. I ask for leniency in his case for the sake of his 4 children, who range in age from 15 to 7 years of age. They will be totally devastated without his presence this up coming holiday season.

My brother Stephen is a devoted father and family man to his children and wife. He participates in all of their activities from sports, academics and family time.

My brother Stephen is also a good son to his parents which are not in the best of health at this time and will severely miss him over the holidays. So I ask you Your Honor for leniency on his behalf in your judgment today.

Respectfully,

John J. Schuko

A handwritten signature in black ink, appearing to read "John J. Schuko", written in a cursive style.

11/2/14

To whom it may concern,

I'm not good at writing letters but I know the importance of this -

I have known Steven Sacher for twenty five years - prior to my separation our families spent many summer vacations and holidays together.

Steve has always been here to help out as it was my adjustment being a single parent with two children playing sports and going in two different directions, Steve made it possible for my children's lives not be disrupted and able to play the sports they were always used to doing - he was always asking if they needed rides to or from games, it was a huge relief having him to rely on. He is truly a great person and friend who is always there when you need him -

His family would suffer immensely should he not be in their lives. He is a huge

influence on his children - they
love and adore him - It would
not be in their best interest not
to have him in their lives.

I hope my letter will
help see what an impact
he has on our lives -

Thank you for your time

Janet Fulmer

11-19-04

To whom it May Concern,

I'm writing this letter on behalf of my longtime friend Steve Schuko. Steve is the true meaning of good friend. My definition of true friend can be defined in all Steve's characteristics. He has been a friend I can always counts on. When my two boys come home from playing with his children, They always speak nice words of Steve's dad. Steve is a great role model for my children to look up to. Steve is a devoted & caring father & husband. His family means everything to him. His children have been raised to be honest, polite & respectful. I encourage my children to follow their display of morals & respect.

I consider myself very lucky to have a friend like Steve.

Sincerely,
Dan/Ph Linda

11-20-04

To whom it may concern,

I would like to say a few things about my good friend Steve Schuko. I can't speak highly enough about his character. Steve has proven to be a truly loyal & dependable person, he is a devoted husband and a phenomenal father to his four children. Steve is completely involved with every aspect of raising his children, he attends their many sports events and school activities. He plays a major role in coordinating and handling the hectic and busy schedules of his family's life. He does this with great patience. His children, as well as mine, look up to him with much respect and admiration. He is sensitive to each of my sons different personalities and goes above and beyond to make them smile. Last week his 6 year old son lectured my 7 year old son on "How to be a better person!" (No doubt something that has been instilled into him by Steve and his wife Stacie)

Steve is very consistant about teaching his children to be honest, caring and to have good morals. He is a true family man. I've never met anyone who has an unkind word to speak of him. Steve is very well liked and respected by all who know him. I am very lucky and honored to have him as a friend.

Sincerely,
Anna Ireland

①

My name is Jennifer Brennan and my sister Stacie is married to Stephen Schuko. Steve has been with my sister since she was about sixteen years old which made me six at the time. Today I am thirty two years old which means I have know Steve for a good twenty six years, and he is like a brother to me. He has always been very close to me over the years of growing up and I have always looked up to him and was so proud to have him as a brother in-law as a kid and still today as an adult. I can remember when my sister and him were talking about marriage I was so excited as a kid because I couldn't wait for the day that I could call him my brother in-law and actually be related to him, for real. That dream came true for me when I was twelve years old

and was honored to be a bridesmaid in their wedding.

I have always known Steve to have so many good friends that have stayed his friends of his, even since high school so that it has always been a common bond for me when I meet people to know him, which I always liked and was proud of. The reason Steve probably has had so many friends over the years is because he is such a selfless person, so much that I know if I ever needed a hand with something or a ride some where he would always do it with no problem. Especially too when it came to my mom or even my grand parents who have since passed on. He would do anything for them. I can remember my mom arranging a big surprise 80th birthday party for our

(2)

grand mother. She decided to hire a person to help her with all the setting up and to do the barbaquing. Well it turned out the woman she hired to help her wasn't very competent for the job and my mother didn't want to have to ask anyone in the family to help. She wanted every one to relax and have fun. And she didn't have to ask because of a course it was Steve that was there to help her out of her bind and to finish the cooking so that everything turned out alright. You may be surprised to hear this but we weren't because it wasn't anything new to us with Steve. Steve was extremely close with my grand parents whether it be helping my grandfather around the yard or with the pool or doing things in the house or picking up things for my grandmother.

Or even just going over there to keep them company. He would even bring my grand mother lunch and spend time with her after my grandfather passed away. This meant a lot to me and my family that he did these things. Though that's not why he did them. He did it because that's Steve and who he is. He has always had such a big heart. Steve has always been such a big part of our family just like one of us and has done so much with us over the years.

More importantly now I should tell you about how he is with his own family now that he has four children of his own with my sister Stacie who he has been married to now going on twenty-two years. This is even hard to explain on paper since there really aren't

(3)

words to describe how devoted, loving and involved he is as a father and those are only a few words I could think of. When it comes to my two nephews and two nieces these kids are some of the most well raised children I have ever seen in my life and I'm not just saying that because there my sisters kids I mean I truly mean this when I say well raised. They are all extremely active in sports and school activities which I do know takes a lot of running around and splitting up between my sister and Steve to get them to all the things these kids are involved in. Which they are never denied the opportunity to do because of how busy they are, they will manage some way somehow and that I do know. I can't even keep up with how much these kids actually

do. But something I will say is that kids like there's that are so well raised and adjusted do not come from broken homes or from a home with an absent parent. And when Stacie and Steve aren't running them around to sports or school activities or whatever else they do they are taking them to the cape and the beaches in the summer or New Hampshire Skiing in the winter or Disney World on vacation and to even getting six tickets so they all could go to see the Lion King at the new opera house in Boston. Like Wow! They and I do mean They do everything with aid for there children as a family always. This has been something I have always truly admired in them both as parents and trust me I'm just scratching the surface

(4)

on what they actually do because I know there are many more things that I didn't mention, I couldn't possibly. This letter is long enough already. On that note when my family and I decided to write a letter from each of us for Steve my mother said all I had to do was write a few paragraphs and I intended to but how could I when it comes to Steve there's just too much to say about the person he is. I actually made a rough draft and when I went to re write it I stopped referring back to the rough draft because I kept adding so many things as I went that the rough draft didn't seem adequate anymore. So I cut it short any ways and left you with four pages, three front and back of a little bit about my brother in law Steve Schuko. Please consider this, Thank you Sincerely
Ben Brennan